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MAR 27 2007

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPIWILLIE Floyd McGAUGHY
PlaintiffUNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI**FILED**

MAR 27 2007

DAVID CREWS, CLERK
By Joanne Bertels
Deputy

v.

CASE NO.

1:07CV69-D-ALEE County Sheriff Department
Defendant**PRISONER'S COMPLAINT CHALLENGING CONDITIONS OF CONFINEMENT**

1. The Plaintiff's full legal name, the name under which the Plaintiff was sentenced, the Plaintiff's inmate identification number, the Plaintiff's mailing address, and the Plaintiff's place of confinement are as follows:

A. Legal name:

Willie Floyd McGAUGHY

B. Name under which sentenced:

Willie Floyd McGAUGHY

C. Inmate identification number:

2007020378-3918

D. Plaintiff's mailing address (street or post office box number, city, state, ZIP):

510 N CommerceTupelo, Ms. 38804

E. Place of confinement:

Tupelo/Lee Adult jail

2. Plaintiff names the following person(s) as the Defendant(s) in this civil action:

Name:

Sheriff Jim H. Johnson

Title (Superintendent, Sheriff, etc.):

Sheriff

Defendant's mailing address (street or post office box number, city, state, ZIP)

510 N CommerceTupelo, Ms. 38804

Name:

Title (Superintendent, Sheriff, etc.):

Defendant's mailing address (street or
post office box number, city, state, ZIP)

Jail Administrator
Tony Carlton
510 N Commerce
Tupelo, Ms. 38804

Name:

Title (Superintendent, Sheriff, etc.):

Defendant's mailing address (street or
post office box number, city, state, ZIP)

Name:

Title (Superintendent, Sheriff, etc.):

Defendant's mailing address (street or
post office box number, city, state, ZIP)

(If additional Defendants are named, provide on separate sheets of paper the complete name, title, and address information for each. Clearly label each additional sheet as being a continuation of Question 2).

3. Have you commenced other lawsuits in any other court, state or federal, dealing with or pertaining to the same facts that you allege in this lawsuit or otherwise relating to your imprisonment?

☐

Yes

☒

No

4. If you checked "Yes" in Question 3, describe each lawsuit in the space below. If there is more than one lawsuit, describe the additional lawsuit(s) on separate sheets of paper; clearly label each additional sheet as being a continuation of Question 4.

A. Parties to the lawsuit:

Plaintiff(s):

Defendant(s):

B. Court:

C. Docket No.:

D. Judge's Name:

E. Date suit filed:

F. Date decided:

G. Result (affirmed, reversed, etc.):

5. Is there a prisoner grievance procedure or system in the place of your confinement?

☒

Yes

☐

No

6. If "Yes," did you present to the grievance system the same facts and issues you allege in this complaint? (See question 9, below).

☒

Yes

☐

No

7. If you checked "Yes" in Question 6, answer the following questions:

A. Does the grievance system place a limit on the time within which a grievance must be presented?

☐ Yes

☒ No

B. If you answered "Yes," did you file or present your grievance within the time limit allowed?

☒ Yes

☐ No

C. The court must find that you exhausted the prison's grievance system and administrative remedies before it can consider this Complaint. State everything you did to present your grievance(s). Be specific. Include the date(s) on which you filed or presented your grievances to prison officers; identify the officer(s). State your claim(s) exactly.

I, Willie Floyd McBaughy filed my grievance OR Complaint 3/12/07 with officer Little, 8/13/07. I, Willie Floyd McBaughy file d another Complaint with officer Makyla, 3/14/07. I, Willie McBaughy filed a Complaint with officer Johnson 3/15/07. I, Willie McBaughy filed a Complaint with officer Jason Edwards 3/16/07 about my Inhumane Stay In a barren holding cell for 11 days. I, Willie Floyd McBaughy asked officer V. Brantlet to have a Complaint Notarised and I did get it back.

D. State specifically what official response your grievance received. If the prison provides an administrative review of the decision on your grievance, state whether you applied for that review and what the result was.

I didn't get a response from my Complaint neither one of them when I asked about them officer Cherry stated to me that they wasn't going to answer them so stop writing then I wrote your officer. With the names of the people who saw me turned in the Complaint forms to the officers. I even tried to talk to the Jail Administrator but he refuse to talk to any inmates. The officers was the one who told me it was up to the Jail Administrator Tony Carter and the Sheriff James Johnson to answer my Complaint.

Special Note: Attach to this Complaint as exhibits complete copies of all requests you made for administrative relief through the grievance system, all responses to your requests or grievances, all administrative appeals you made, all responses to your appeals, and all receipts for documents that you have.

8. If you checked "No" in Question 6, explain why you did not use the grievance procedures or system:

Because they want answer back if they know they are in the wrong again. Busfield said this to me on 2/22/07

9. Write below, as briefly as possible, the **facts** of your case. Describe how **each** Defendant is involved. Write the names of all other persons involved. Include dates and precise places of events. Do not give any legal argument or cite any legal authority. If you have more than one claim to present, number each claim in a separate paragraph. Attach additional pages only if necessary; label attached pages as being continuations of Question 9.

Twillie Floyd McGaughy was incarcerated on 3/17/07 and I was placed in a small holding cell with 34 or 35 other inmates for 11 days. I had to endure the worst treatment ever. I had to sleep on a hard concrete floor without mattresses, sheet or blanket on top of a waste drain that every time you flush the toilet the waste water would come up out the floor all over me. My Back, hips, knees hurt. I have a bad rash on my shoulder and Back. I even put in a request to see the doctor and I never heard anything from that. I even tried to talk to The Sheriff Jim H. Johnson And the jail administrator Tony Carlton and the both of them refused stating

I should have stayed At home along with Sgt Partridge and officer Baker because they run this jail.

10. State briefly exactly what you want the court to do for you. Do not make legal arguments. Do not cite legal authority.

I want fair And Just treatment toward All Inmates. It need to be a monthly inspection without them knowing and they need real food to eat and more of it and hot. personally I would like to get paid for my pain + suffering plus the mental and physical abuse I endure living in this waste and filthy jail I would like to be awarded \$250,000

This Complaint was executed at (location):

Tupelo/Lee County Adult jail

and I declare or certify or verify or state under penalty of perjury that this Complaint is true and correct.

Date:

3/23/07

Shirley McLaughlin

Plaintiff's Signature